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1425.67029

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application )

Applicant: Jack K. Hosking et al. )

Serial No. 10/689,452 )

Filed: October 20, 2003 )

For: RAIL FASTENER DRIVER WITH  
ENHANCED FASTENER POSITIONING )

Conf. No. 4183 )

Art Unit: 3617 )

Examiner: Lee, Mark T. )

I hereby certify that this paper is transmitted by  
facsimile to the U.S. Patent and Trademark Office. Fax  
No. (703) 872-9306 (703) 746-3721 on this date.

9/9/04  
DateRegistration No. 31,497  
Attorney for ApplicantSECOND PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Prior to Examination of the above-identified application, and so supplement  
the Preliminary Amendment filed by facsimile on September 7, 2004, please amend the  
claims as follows:

1425.67029

## PATENT APPLICATION

U.S. PATENT AND TRADEMARK OFFICE  
CERTIFICATION OF FACSIMILE TRANSMISSIONRECEIVED  
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TO: Examiner Lee, Mark T. )  
)  
FACSIMILE NO.: (703) 872-9306 & )  
(703) 746-3721 )  
)  
In re Application of: Jack K. Hosking et al. )  
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Serial No.: 10/689,452 )  
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)  
Art Unit: 3617 )  
)  
Examiner: Lee, Mark T. )

Number of pages including this Certification: 13Description: **Enclosed is an Amendment Transmittal (in duplicate) and a Second Preliminary Amendment.**

**FROM:** Lawrence J. Crain  
GREER, BURNS & CRAIN, LTD.  
300 S. Wacker Drive - Suite 2500  
Chicago, Illinois 60606  
TELEPHONE NUMBER: (312) 360-0080  
FAX NUMBER: (312) 360-9315

I hereby certify that the above-identified paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

  
Reg. No.: 31,497

September 9, 2004

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1425.67029

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jack K. Hosking  
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9/9/04  
 Date

Registration No. 31,497  
 Attorney for Applicant

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SEP 09 2004

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Dear Sir:

Transmitted herewith is a communication regarding the above-identified application.

Fee Calculation For Claims As Amended

|                                   | As<br>Amended |   | Previously<br>Paid For |   | Present<br>Extra | Rate                               | Additional<br>Fee |
|-----------------------------------|---------------|---|------------------------|---|------------------|------------------------------------|-------------------|
| Total Claims                      | 21            | - | 21                     | = | 0                | x \$ 18.00                         | = \$ 0.00         |
| Independent Claims                | 3             | - | 3                      | = | 0                | x \$ 86.00                         | = \$ 0.00         |
| Fee for Multiple Dependent Claims |               |   |                        |   |                  | \$290.00                           | = \$ 0.00         |
|                                   |               |   |                        |   |                  | Total Additional Fee               | \$ 0.00           |
|                                   |               |   |                        |   |                  | Small Entity Fee (reduced by half) | \$ 0.00           |

(X) Preliminary Amendment


(X) If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely and does not separately accompany this transmittal, Applicant(s) hereby petition(s) under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

September 9, 2004  
 300 South Wacker Drive - Suite 2500  
 Chicago, Illinois 60606  
 Tel.: (312) 360-0080  
 Fax: (312) 360-9315  
 Customer No.: 24978

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By:   
 Lawrence J. Crain, Reg. No. 31,497

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## PATENT APPLICATION

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*Lawrence J. Crain*  
 Registration No. 31,497  
 Attorney for Applicant

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|-----------------------------------|---------------|---|------------------------|---|------------------|------|------------------------------------|-------------------|
| Total Claims                      | 21            | - | 21                     | = | 0                | x    | \$ 18.00                           | = \$ 0            |
| Independent Claims                | 3             | - | 3                      | = | 0                | x    | \$ 86.00                           | = \$ 0            |
| Fee for Multiple Dependent Claims |               |   |                        |   |                  |      | \$290.00                           | = \$ 0            |
|                                   |               |   |                        |   |                  |      | Total Additional Fee               | \$ 0              |
|                                   |               |   |                        |   |                  |      | Small Entity Fee (reduced by half) | \$                |

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